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The Board of Trustees of The Leland Stanford Junior
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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 The Board of Trustees of The Leland Stanford
Junior University,

12 Plaintiff,

13 v.

14 Stanford Financial Group Company and Stanford
Group Company,

15 Defendants.
16

No. 3:08-cv-04950 CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME TO
RESPOND TO COUNTERCLAIMS**

17 Stanford Group Company,

18 Counterclaim Plaintiff,

19 v.

20 The Board of Trustees of The Leland Stanford
Junior University and The Leland Stanford Junior
21 University,

22 Counterclaim Defendants.
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24 WHEREAS, counterclaim defendants The Board of Trustees of The Leland Stanford
Junior University and The Leland Stanford Junior University (the "Counterclaim Defendants")
25 were served with Stanford Group Company's ("Stanford Group") Counterclaims in the above
26 action on February 13, 2009;

27 WHEREAS, the Counterclaim Defendants' time to respond to the Counterclaims pursuant
28

Case No. 3:08-cv-04950 CRB

STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATES

A/72854103.1/2004678-0000332067

1 to Federal Rule of Civil Procedure, Rule 12(a)(1)(B) normally would be March 9, 2009;

2 WHEREAS, on February 17, 2009, the Securities and Exchange Commission (the
3 "SEC") filed a complaint in the United States District Court for the Northern District of Texas
4 alleging securities fraud against defendant Stanford Group Company ("Stanford Group") and
5 related companies and persons, including Stanford International Bank, Ltd., Stanford Capital
6 Management, LLC, R. Allen Stanford, James M. Davis, and Laura Pendergest-Holt;

7 WHEREAS, on February 17, 2009, the SEC filed (1) a motion for temporary restraining,
8 order freezing assets, order requiring an accounting, order requiring preservation of documents
9 and order authorizing expedited discovery and (2) a motion to appoint a receiver;

10 WHEREAS, on February 17, 2009, the District Court granted the SEC's motions for
11 temporary restraining and to appoint a receiver;

12 WHEREAS, in view of the temporary restraining order and the order appointing a
13 receiver, Defendants Stanford Financial Group Company ("Stanford Financial") and Stanford
14 Group requested that the existing hearing dates in this matter be continued to allow the receiver
15 time to determine how it wishes to proceed;

16 WHEREAS, on February 19, 2009, the parties stipulated that (1) there was good cause
17 for the Court to enter an order resetting the hearing dates for Stanford Financial Group
18 Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford
19 Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim
20 on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for
21 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford
22 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for
23 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's
24 Motion for Partial Summary Judgment (Doc. No. 80), which were all set for March 20, 2009, to
25 May 22, 2009, with opposition and reply dates to run from the later, re-scheduled date pursuant
26 to Civil L.R. 7-3; (2) a Case Management Conference be scheduled on March 20, 2009, with a
27 Joint Case Management Conference Statement due by March 13, 2009; and (3) the Settlement
28 Conference before Magistrate Judge Bernard Zimmerman, which was set for March 12, 2009, be

1 re-scheduled to a date available to Magistrate Judge Zimmerman, approximately on or about
2 May 11, 2009;

3 WHEREAS, on February 20, 2009, the Court ordered that the hearing dates, Case
4 Management Conference, and Settlement Conference be continued and scheduled in accordance
5 with the stipulation;

6 IT IS HEREBY STIPULATED by and between the parties that Counterclaim Defendants'
7 time to respond to the Counterclaims shall be extended by 60 days. Counterclaim Defendants
8 shall have until May 8, 2009 to answer or otherwise respond to the Counterclaims.

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10 DATED: February 24, 2009

Bingham McCutchen LLP

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13 By: /s/ William F. Abrams

William F. Abrams
Bingham McCutchen LLP

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15 Attorneys for Plaintiff
The Board of Trustees of The Leland
16 Stanford Junior University

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18 DATED: February 24, 2009

Dillingham & Murphy LLP

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20
21 By: /s/ William F. Murphy

William F. Murphy
Dillingham & Murphy, LLP

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23 Curtis, Mallet-Prevost, Colt & Mosle LLP

24 Attorneys for Defendants Stanford
25 Financial Group Company and Stanford
26 Group Company

1 **NOW THEREFORE, IT IS HEREBY ORDERED THAT** The Board of Trustees of
2 The Leland Stanford Junior University and The Leland Stanford Junior University
3 ("Counterclaim Defendants") time to respond to Stanford Group Company's Counterclaims shall
4 be extended by 60 days. Counterclaim Defendants shall have until May 8, 2009 to answer or
5 otherwise respond to the Counterclaims.

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8 DATED: February 24, 2009

9 The Honorable Charles R. Breyer
10 UNITED STATES DISTRICT COURT

